

## REMARKS

In accordance with the foregoing, claims 1, 11, 23, and 25 have been amended. Claims 1-9 and 11-25 are pending and under consideration. No new matter is being presented, and approval and entry are respectfully requested.

### Claim Amendments

Independent claim 1 is amended herein to recite a method "controlling one or more of said plurality of different types of devices based on said single operating terminal access right and instruction signals transmitted directly from said single operating terminal to said one or more of said plurality of different types of devices." (Amendatory language being underlined). Independent claims 11 and 23 are similarly amended.

Claim 25 is amended herein to recite a method for a device control system comprising "a handset, which is positioned out of the home, for transmitting capable of transmitting of instruction signals to a home server to control each of said plurality of devices, . . . , said method comprising: . . . controlling one or more of said plurality of different types of devices based on said operating terminal access right and said instruction signals, directly received from said operating terminal, relating to one or more of said plurality of different types of devices." (Amendatory language being underlined).

No new matter is being presented, and approval and entry are respectfully requested.

### Current Action is Incomplete

Applicants respectfully submit that the current Office Action is incomplete since Applicants submitted in the previous Amendment filed May 11, 2007 that Holmes (U.S.P. 5,875,395) does not discuss a single operating terminal directly controlling said one or more devices with signals transmitted from said terminal," as the Examiner asserts.

The Examiner has not provided citations to Holmes as where such a disclosure is found in the current Office Action.

Accordingly, if claim 22 is not found allowable, Applicants request the Examiner provide a nonfinal Office Action with required support for his assertion and with the response date reset.

### Items 3-4: Objection to claims 1 and 25

In items 3 and 4 of the Office Action, the Examiner objects to claims 1 and 25 because of informalities and asserts the phrase "signal instructions" should be changed to --instruction signals-- in claims 1 and 25, and the phrase "over home network" should be changed to --over a home network-- in claim 25. (Action at page 3).

Claims 1 and 25 are amended herein to change the phrase "signal instructions" to --instruction signals-- and claim 25 is amended herein to change the phrase "over home network" to --over a home network--, as suggested by the Examiner.

Withdrawal of the objection is requested.

**Item 6: Rejection of claim 25 under 35 U.S.C. 112, first paragraph**

In item 6 of the Office Action, the Examiner rejects claim 25 under 35 U.S.C. 112, first paragraph, and asserts:

Claim 25 recites "a handset for transmitting capable of transmitting of instruction signals to a home server to control each of said plurality of devices positioned out of the home" . . . the specification discloses that the handset, not the devices, is outside the house. . . the feature is interpreted as "a handset positioned out of the home . . . "

(Action at pages 3-4).

Claim 25 is amended herein to replace the phrase "a handset for transmitting" to the phrase --a handset, which is positioned out of the home, for transmitting--.

Applicants submit that claim 25 complies with 35 U.S.C. 112, first paragraph and request the rejection be withdrawn.

**Items 8-17: Rejection of claims 1-9 and 11-25 under §§102/103**

In item 8 of the Office Action, the Examiner rejects claims 1, 9, 11, 22-23, and 25 under 35 U.S.C. §102(b) as being anticipated by Holmes (U.S.P. 5,875,395). In items 10 -17 of the Office Action, the Examiner rejects claims 2-8, 12-21, and 24 under 35 U.S.C. §103(a) as being unpatentable over Holmes in view of combinations of Buffam (U.S.P. 6,185,316), Sizer, II et al. (U.S.P. 6,021,324), Muhonen (U.S.P. 6,751,472), Dugan (U.S.P. 6,779,030), Yatsukawa (U.S.P. 6,148,404), White (U.S.P. 6,353,413), and Davidson ("CEBus: A New Standard in Home Automation"). (Action at pages 4-13).

The rejections are traversed.

**I. Traverse of rejection of independent claim 22**

Independent claim 22 recites a method "controlling one or more of said plurality of different types devices by said single operating terminal based on said operating terminal access right, said one or more devices being connected on said home network, said single operating terminal directly controlling said one or more devices with signals transmitted from said terminal (emphasis added).

In support of the §102 rejection of claim 22, the Examiner asserts Holmes teaches:

the operating terminal controls said one or more devices by sending out commands to the one or more devices; the teaching meets the limitation of the operating terminal directly controlling said one or more devices with signals transmitted from said terminal.

(Action at page 6).

Applicant submits that the Examiner's assertions regarding claim language are incorrect and recited features are not taught by Holmes.

Applicant submits that the recitation of claim 22 clearly indicates that the terminal directly controls the devices with signals transmitted from the terminal, and further that as understood by one of ordinary skill in the art, transmitting of a signal from a terminal is not transmitting a signal from a server.

Applicant submits that Holmes, alone or in combination does not teach a single operating terminal directly controlling one or more devices. By contrast, Holmes teaches element 10, i.e., mobile station that transmits instruction signals relating to operations of a device by:

issue data, including commands, from the mobile station 10. Data issued is received by the radio transmitter 14 and passed to the decoder 30. The decoder 30 decodes the data from the radio transmitter 14 and the security module 16 and, based on this data, activates the garage door opener 34 via the relay 32.

(col. 4, lines 32-40).

### **Summary**

Since features recited by claim 22 are not discussed by Holmes, the rejection should be withdrawn and claim 22 allowed.

### **II. Traverse of rejection of claim 25**

Claim 25 recites an access restriction method for a device control system comprising a device control server interconnected over a home network with a plurality of different types of devices within a home and a single operating terminal capable of transmission of instruction signals directly to each of said plurality of devices and a handset, which is positioned out of the home, for transmitting capable of transmitting of instruction signals to a home server to control each of said plurality of devices, the instruction signals relating to operation of said plurality of devices that are connected on the network, said method comprising: accepting registration of terminal information for associating a unique identifier established for said single operating terminal with said operating terminal access right for accessing said plurality of devices connected on the home network; . . . and controlling one or more of said plurality of different types of devices based on said operating terminal access right and said instruction signals,

directly received from said operating terminal, relating to one or more of said plurality of different types of devices. (emphasis added)"

Applicants submit that Holmes does not features recited by claim 25 including a handset.

The Examiner asserts that "Holmes's single operating terminal is also a handset (i.e., a mobile station)." Page 6, lines 12-14. Applicants submit that the Examiner's assertion that a single operating terminal is also a handset (i.e., a mobile station) is incorrect and without support.

By contrast, Holmes discusses repeatedly a "user at a mobile station 10 (emphasis added)." (See, for example, col. 4, lines 19-20 and line 68).

Applicants submit that as understood by one of ordinary skill in the art, a user is not referred to as being at a handset. That is, Holmes's mobile station is not a handset, as the Examiner incorrectly asserts.

#### **Summary**

Since features recited by claim 25 are not discussed by Holmes, the rejection should be withdrawn and claim 25 allowed.

#### **III. Traverse of rejection of independent claim 18 (and dependent claims 19-21)**

Independent claim 18 recites a single operating terminal, in a device control system having a device control server interconnected over a home network with a plurality of different types of devices within the home network, capable of transmitting instruction signals relating to operations of one or more of said plurality of different types of devices directly to each of said plurality of devices, the single operating terminal comprising: identifier storage means storing a unique identifier; terminal information registration means for registering said identifier on said device control server; input acceptance means for accepting input of instructions relating to operation of said one or more of said plurality of different types of devices that are connected on the network; instruction information generation means for generating instruction information based on inputted instructions accepted by said input acceptance means and on an identifier stored in said identifier storage means; and instruction information transmission means for transmission of instruction information generated by said instruction information generation means directly to each of said plurality of devices."

Applicants submit that features are not taught by even an *arguendo* modification of Holmes.

Holmes does not teach a single operating terminal with the recited storage means and

instruction information generation means, for example.

The Examiner asserts "Holmes does not disclose the terminal, i.e., mobile phone . . . .White disclose a terminal being both a mobile phone and a remote control unit." Page 11, lines 14-16.

Applicants submit that the Examiner's interpretation that Holmes' teaching of a terminal t is a "mobile phone" is not supported and is incorrect.

Accordingly the assertion by the Examiner that one of ordinary skill in the art would modify Holmes "to reduce the number of portable devices in a home," has no basis and is in error.

Applicants respectfully submit that the elements in combination recited by independent claims 18 do not merely perform the function that each element performs separately and that the results of the claimed combination were unexpected.

#### **Summary**

Since features recited by claims 18-21 are not discussed by Holmes, the rejection should be withdrawn and claims 18-21 allowed.

#### **III. Traverse of §102/103 rejection of claims 1-9, 11-17, and 23 - 24**

Independent claim 1, as amended herein, recites a system including "controlling one or more of said plurality of different types of devices based on said single operating terminal access right and instruction signals transmitted directly from said single operating terminal to . . . different types of devices (emphasis added)." Independent claims 11 and 23, both as amended herein, have similar recitations.

Applicant submits that Holmes, alone or in *arguendo* combination, does not teach signals transmitted directly from a single operating terminal to a plurality of devices," as recited by independent claims 1, 11, and 23 (and respective dependent claims 2-9, 12-17, and 24).

In item 2 of the Office Action, entitled Response to Arguments, the Examiner asserts:

Since all of the steps recited in claim 1 are performed by the home server, it is interpreted that the home server receives the instruction signals directly from the single operating terminal.

(Action at pages 2-3).

Applicants further submit that the Examiner's interpretation of the plain language of claim 1, for example, is incorrect and unnecessarily limiting.

Claim 1 recites "an access restriction method for a device control system comprising a

device control server interconnected over a home network with a plurality of different types of devices within a home and a single operating terminal capable of transmission of instruction signals (emphasis added)."

Applicants point out that there is nothing in the recitation of claim 1, for example, to indicate that "all of the steps" are performed by the home server, as the Examiner incorrectly asserts.

Applicants respectfully submit that the elements in combination recited by each of the independent claims do not merely perform the function that each element performs separately and that the results of the claimed combinations were unexpected.

### Summary

Since features recited by independent claims 1, 11, and 23 (and respective dependent claims 2-9, 12-17, and 24) are not taught by even an *arguendo* combination of the art relied on by the Examiner, the rejection should be withdrawn and claims 1-9, 11-17, and 23-24 allowed.

### CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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